
MONTANA TRANSPORTATION COMMISSION POLICY STATEMENT

Adopted by the Montana Transportation Commission
during regular session on December 12, 1996 - Revised November 22, 2002 and May 7,
2003.

Policy Number: 04

Revision of Department Bidding Requirements

The following is intended solely for the purpose of documenting the Montana
Transportation Commission (MTC) policy concerning new requirements that the
Montana Department of Transportation (MDT) is to use for bids on its projects.

Background

Bidders on MDT projects have: failed to sign bid bonds, signed them in an incorrect
location or in an incorrect capacity, failed to have notaries sign documents when
required, provided confusing bid bonds on differing forms, and failed to total the bid
items of their bids by noting the total on the quantity sheets provided in the bid packets.
These repeated failures have resulted in several protests by the offenders to the MTC.

MDT makes recommendations to the MTC regarding bids made on its projects, but does
not determine responsiveness of bids. Since the MTC determines responsiveness of bids
submitted on projects, the MTC has decided that errors noted below will make those bids
non-responsive, and they will be rejected. MTC previously adopted a policy that failure
to acknowledge receipt of addenda makes a proposal non-responsive.

The MTC directs the MDT to include the following policy in the MDT Supplemental
Specifications.

A bid proposal is irregular and will be rejected as non-responsive if:

Bidder fails to properly complete and sign by original signatures on the most
current Department-provided bid proposal and bid bond forms. Stamped
signatures are not authorized.

Bidders have not been currently acknowledging receipt of the electronic addendum.

Policy

At the designated letting time bids will be opened and inspected to determine if the
following requirements are satisfied. Bids considered non-responsive because of those
requirements will be announced at the letting but will not be read, and will not be
returned to the bidder until all bids have been later reviewed.

The Department will recommend to the Commission that a bid be considered non-responsive for:

1. Failure to sign the bid bond or proposal, both provided by MDT, by all specified persons, including Notaries, in the correct blocks;
2. Failure to acknowledge receipt of electronic addenda by using the correct computer electronic files.
3. Failure to provide a complete schedule of items, or an unverifiable schedule of items. Each sheet of the schedule of items must contain the same check number, to ensure that the unit bid prices correspond with the total.

Chairman

Date